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December 23, 2013

**BY FAX AND NYSCEF**

Hon. Paul G. Gardephe  
United States District Judge  
40 Foley Square Room 2204  
New York, New York 10007

RE: *Wells Fargo Bank, N.A. v. Wales LLC, et al.*, 13-cv-6781(PGG)

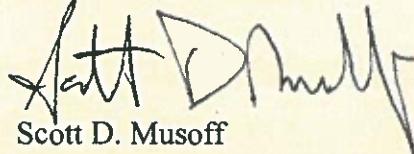
Dear Judge Gardephe:

We represent Battenkill Insurance Company, LLC (“Battenkill”), which seeks to intervene in the above-referenced interpleader action as a defendant/cross-claimant. Pursuant to Your Honor’s direction at the December 5, 2013 conference, we write to inform the Court that interpleader defendant Wales LLC (“Wales”) has refused to consent to Battenkill’s intervention. Accordingly, Battenkill will make a formal motion to intervene pursuant to Federal Rule of Civil Procedure 24, and respectfully requests that the Court order the following briefing schedule, to which Wales has agreed:

- Battenkill’s motion is due no later than January 10, 2014;
- Wales’ opposition brief is due no later than January 24, 2014;
- Battenkill’s reply brief is due no later than January 31, 2014.

We are available should the Court have any questions.

Respectfully submitted,



Scott D. Musoff

cc: all counsel of record (via ECF)